REMARKS/ARGUMENTS

Status of the Application

Applicant respectfully requests reconsideration of the rejections set forth in the Office Action mailed on April 7, 2003.

- The Examiner has rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.
- The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,225,901 to *Kail* (*Kail*) in view of U.S. Patent No. 6,233,492 to *Nakamura* (*Nakamura*).
- The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of U.S. Patent No. 6,510,350 to *Steen, III et al.* (*Steen*) in further view of U.S. Patent No. 6,204,768 to *Kosugi* (*Kosugi*).
- The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of *Steen* in further view of *Kosugi* in further view of U.S. Patent No. 4,645,348 to *Dewar et al.* (*Dewar*).
- The Examiner has rejected claims 4-9 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of *Steen* in further view of *Kosugi* in further view of *Dewar* in further view of U.S. Patent No. 5,301,122 to *Halpern* (*Halpern*).

Claims 1-9 are pending in the current application.

Rejection under 35 U.S.C. § 112

The Examiner has rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner stated that the limitation of "initializing the first sensor, which is able to measure a first parameter in the chamber," is not described in the specification. Page 4, lines 17-23, of the application disclose that the first sensor may be a spectrometer, but may also be another type of sensor such as a thermometer or RGA sensor. Page 7, lines 8-14, of the application discusses the initialization (self initialization) of the first sensor. Therefore this limitation is described in the specification.

Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,225,901 to *Kail* (*Kail*) in view of U.S. Patent No. 6,233,492 to *Nakamura* (*Nakamura*).

<u>Claim 1</u>

Kail and *Nakamura* do not teach all elements of amended claim 1, even in combination. Specifically, *Kail* does not disclose transmitting a command to get a reportable specification to a sensor, or transmitting a reportable specification message from a sensor.

Kail teaches a reprogrammable remote sensor monitoring system. This monitoring system includes a central monitoring device 14, and a portable monitoring unit 12 that is connected to sensors 28 (Col. 4:11-41). When the portable monitoring unit 12 is powered up, its microprocessor initializes itself, and then begins to monitor the sensors 28 for activity (Col. 6:49-60). Subsequently, the microprocessor simply waits for sensor activity and, should any occur, sends the sensor data to the central monitoring device 14 (Col. 6:57-7:20).

It should be noted that the portable monitoring unit 12, once initialized, does not send any signals to the sensors 28. Instead, it simply waits for the sensors 28 to send data. Thus, *Kail* does not disclose transmitting a command to a sensor. Similarly, because the sensors 28 simply transmit *data* to the portable monitoring unit 12, *Kail* also does not disclose transmitting a *reportable specification message* from a sensor.

The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of U.S. Patent No. 6,510,350 to *Steen, III et al.* (*Steen*) in further view of U.S. Patent No. 6,204,768 to *Kosugi* (*Kosugi*).

<u>Claim 2</u>

Claim 2 depends from claim 1, and is therefore patentable for at least the reasons discussed above in relation to claim 1. Additionally, *Kail*, *Nakamura*, *Steen* and *Kosugi* do not teach all elements of amended claim 2, even in combination. Specifically, *Kosugi* does not disclose transmitting an acknowledgement of a reportable specification message.

Kosugi teaches a fire monitoring system and fire sensor in which a receiver 100 is in communication with sensors 102 (Col. 5:63-6:2). However, the receiver 100 never transmits an acknowledgement of a reportable specification message to the sensors 102. The only acknowledgement signal transmitted to the sensors 102 is sent in the context of mode-switching, not reportable specifications.

The sensors 102 of *Kosugi* can switch to any one of three different modes: smoke sensing mode, heat sensing mode, and multi-sensing mode (Col. 6:18-22). When it is desired to switch modes, a mode switch request is sent to the sensors 102 (Fig. 4; Col. 8:24-27). This request is acknowledged with an ACK response sent to the receiver 100 (Fig. 4; Col. 8:28-31), which then responds with a separate ACK response sent to the sensors 102 (Fig. 4; Col. 8:31-36). The ACK response sent to the sensors 102 simply triggers the sensors 102 to continue with the mode-switching process (Col. 8:37-38), and therefore is not a reportable specification message. Accordingly, *Kosugi* discloses transmitting an acknowledgement to continue mode-switching, and does not disclose transmitting an acknowledgement of a reportable specification message.

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of *Steen* in further view of *Kosugi* in further view of U.S. Patent No. 4,645,348 to *Dewar et al. (Dewar)*.

Claim 3

Claim 3 depends from claim 2, and is therefore patentable for at least the reasons discussed above in relation to claims 1 and 2. Additionally, *Kail, Nakamura, Steen, Kosugi,* and *Dewar* do not teach all elements of amended claim 3, even in combination. Specifically, *Dewar* does not disclose transmitting an alarm table to a sensor. A rectification table is disclosed, but not an alarm table. Additionally, this rectification table is not transmitted to a sensor.

Dewar discloses a sensor-illumination system for use in the three-dimensional measurement of objects. A unit 10 includes a light source 12, sensors 18, and sensor data store circuit 24 (Fig. 1; Col. 2:55-4:2). The sensors 18 detect reflected light from the light source 12, which is translated into x, y, and z measurement information for each pixel in the sensor's array (Col. 6:31-61). This x, y, and z information is then sorted into a rectification table and stored in the sensor data store circuit 24, for use in calibrating the unit 10 (Col. 6:31-61).

Dewar thus discloses the generation of a rectification table used for calibrating a unit 10, not an alarm table. Furthermore, even if this rectification table is to be considered an alarm table, the rectification table is transmitted to the sensor data store circuit 24, not the sensors 18. Accordingly, *Dewar* does not disclose transmitting any kind of table, alarm or otherwise, to a sensor.

The Examiner has rejected claims 4-9 under 35 U.S.C. § 103(a) as being unpatentable over *Kail* in view of *Nakamura* in further view of *Steen* in further view of *Kosugi* in further view of *Dewar* in further view of U.S. Patent No. 5,301,122 to *Halpern (Halpern)*.

Claim 4

Claim 4 depends from claim 3, and is therefore patentable for at least the reasons discussed above in relation to claims 1-3. Additionally, *Kail, Nakamura, Steen, Kosugi, Dewar,* and *Halpern* do not teach all elements of amended claim 4, even in combination. Specifically, *Halpern* does not disclose transmitting time and initialization data to a sensor.

Halpern discloses a measuring and monitoring system 2 comprising a host computer C1 that controls site processors P1-PN, each of which in turn controls sensors S1-SX (Fig. 1; Cols. 4:37-46, 11:35-49). Data from sensors S1-SX is sampled periodically according to time and date information sent from the host computer C1 to the site processors P1-PN (Col. 11:36-46; 4:43-46). The site processors P1-PN then poll the sensors S1-SX at the specified time and date (Col. 10:50-52).

It should be noted that, as only time and *date* information is sent to the site processors P1-PN, *Halpern* does not disclose the transmitting of time and *initialization data*. Even if time and

date information is to be considered the same as time and initialization data, *Halpern* does not disclose transmitting this information *to a sensor*. Rather, time and date information is transmitted to a site processor P1-PN. These site processors P1-PN do not pass this information on to the sensors S1-SX. Rather, they simply take readings from the sensors. Accordingly, *Halpern* does not disclose the transmitting of time and initialization data, and even if it did, *Halpern* does not disclose transmitting this data to a sensor.

Claim 5

Claim 5 depends from claim 4, and is therefore patentable for at least the reasons discussed above in relation to claims 1-4. Additionally, *Kail, Nakamura, Steen, Kosugi, Dewar,* and *Halpern* do not teach all elements of amended claim 5, even in combination. Specifically, *Halpern* does not disclose transmitting a process related command to a sensor.

As above, *Halpern* discloses sending time and date information to site processors P1-PN, not to sensors S1-SX. Thus, *Halpern* does not disclose transmitting a process related command. Furthermore, because the time and date information is sent to processors P1-PN instead of sensors S1-SX, *Halpern* also does not disclose transmitting process related commands to a sensor.

Claims 6-9

Claim 6 depends from claim 5, claim 7 depends from claim 6, claim 8 depends from claim 7, and claim 9 depends from claim 8. Claims 6-9 are therefore patentable for at least the reasons discussed above in relation to claims 1-5.

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Michael Lee
Reg. No. 31,486

P.O. Box 778
Berkeley, CA 94704-0778
(831) 655-2300